

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VIKTOR KALABA,	:	1:10-CV-707
	:	
Petitioner,	:	
	:	
v.	:	Hon John E. Jones III
	:	
JANET NAPOLITANO and	:	
WILLIAM CAMPBELL	:	Hon. Thomas M. Blewitt
	:	
Respondents.	:	

MEMORANDUM AND ORDER

June 4, 2010

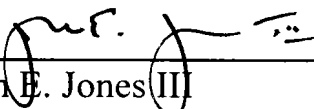
THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Pending before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Thomas M. Blewitt (Doc. 14) filed on May 24, 2010 recommending that the Court deny Petitioner Viktor Kalaba’s petition for writ of habeas corpus challenging his continued detention by United States Immigration and Customs Enforcement (“ICE”). The deadline for objections to the R&R is June 10, 2010. However, on June 3, 2010, the Respondents filed a Notice of Removal (Doc. 16), indicating that the Petitioner has been removed from the United States to Kosovo on May 27, 2010. Accordingly, the petition is moot and must be denied as such. *See Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690,

698-99 (3d Cir. 1996); *Defoy v. McCullough*, 393, 441 (3d Cir. 2005).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The petition for writ of habeas corpus (Doc. 1) is **DISMISSED** as **MOOT**.
2. The Report and Recommendation is **REJECTED** (Doc. 14) inasmuch as the ultimate recommendation contained therein is **MOOT**.
3. The Clerk of Court is directed to **CLOSE** the file on this case.



John E. Jones III
United States District Judge